

IN SENATE OF THE UNITED STATES.

JUNE 15, 1836.

Read, ordered to be printed, and that 5,000 additional copies be sent to the Senate.

Mr. WALKER made the following

REPORT,

WITH SENATE BILL NO. 295.

The select committee on the subject of graduating and reducing the price of the public lands to actual settlers, made the following report :

Your committee have given the subject referred to them that attention to which it is so justly entitled, and report a bill embracing, with some modifications, most of the principles contained in the act submitted for their consideration. They have adopted the principle that the public lands should be held as a sacred reserve for the cultivators of the soil; that monopolies, by individuals or companies, should be prevented; that sales should be made only in limited quantities to actual settlers, and the price in their favor reduced and graduated.

We also propose that the new States should be placed upon an equal footing in relation to grants of the public domain, and, consequently, that the same quantity of land granted to Ohio by the General Government should be ceded to all the other new States of the Union, and to each of the Territories, upon their admission as States of the Union.

The sale of the public lands in limited quantities to actual settlers only was proposed by the President of the United States in his annual message to Congress of December, 1832. In that message the President recommended that the public lands, at moderate prices, "*should be sold to settlers in limited parcels.*" A sale for settlement only, and not for speculation, is certainly most conformable to the great purposes for which these lands were ceded to the General Government.

The great object for which Virginia ceded the Northwestern territory is, as declared by her act of cession, that the territory so ceded "should be laid out and formed into States, containing a suitable extent of territory, not less than 100 nor more than 150 miles square, or as near thereto as circumstances would admit; and that the States so formed should be distinct republican States, and admitted members of the Federal Union, having the same rights of sovereignty, freedom, and independence, as the other States." The same language, substantially, will be found in the other acts of cession of the public domain. States can only be formed by the settlement of a country. The settlement, then, of this territory, was the primary object of those who made, as well as those who accepted the cession. A sale to settlers only, is then most in con-

sonance with the spirit of the compacts by which these lands were acquired. It never was contemplated that the settlement of this territory should be arrested by the transfer of the soil from the Government to wealthy monopolists. Sales were intended for settlement, and not for speculation. Until within a few years past the sales were made almost exclusively for settlement, but now, the reverse is the fact. The sales within the last year have amounted to nearly thirteen millions of acres, being almost three times the amount sold in any preceding year. Eight millions of acres of these sales have probably been made for speculation, and not for settlement. This spirit of speculation in the public lands is increasing with alarming rapidity. Companies are forming in all directions to monopolize the ownership of the public domain, and thus be enabled to arrest the settlement and regulate the prosperity of the new States and Territories of the Union. A total and complete monopoly of the public lands by speculators is now contemplated, and the consequent withdrawal from the Government of all its power over this subject. This system will be deeply injurious to the interest of the old as well as of the new States. Vast sums will be taken from investment in the channels of productive industry in the old States, and invested in purchases of uncultivated lands. It is a bounty offered by Government for the annual withdrawal of capital from the useful pursuits of productive industry, for investment in waste lands, producing nothing, and, consequently, adding nothing to the general prosperity of the country. Agriculture, commerce, and manufactures, are all injuriously affected by this process. For a great period of time the moneys thus invested might as well be sunk in the ocean. Agriculture is not benefited, for settlement is retarded and not advanced by this system. Commerce and manufactures are injured by the annual sinking of so much of the active capital of the country. The vast sums thus invested during the present year have certainly greatly contributed to create the existing embarrassments, and as the evil progresses, the embarrassments will be increased and aggravated. It is then the interest of the old as well as the new States to arrest this annual investment of millions in unproductive pursuits. Were it arrested, these millions of dead capital would be adding yearly to the commerce, agriculture, and manufactures of the whole country. When money is invested, even from the old States, in lands for settlement and cultivation only, in the new States, the annual products of the soil increase the wealth and prosperity of the whole country, and soon give back to the old States, through the channels of trade and business, more than the amount of the purchase-money of the land. But, if the citizens of a nation appropriate millions annually in the purchase of property yielding no income, the result is a great national loss. It is, then, the interest of the whole Union that these monopolies of the public lands should be arrested, and that capital should continually flow in the various channels of productive industry. If, among other causes, the existing embarrassments are now greatly attributable to the speculating investment of millions, during the past year, in wild lands, what will be the result if the system is permitted to continue for a series of years unabated? It is easy to foresee that the necessary consequence will be increasing distress and embarrassment, or at least a diminution of the national prosperity.

Your committee, then, present a bill, which will at once arrest the

progress of this evil. To effect this great object, they propose, in the first place, to break up the system of sales of the public land at public auction, which, upon the aggregate of the sales of the last year, has produced but two cents and a small fraction per acre above the minimum price. Secondly, where two or more applications are made by different persons at the same time, for the same section of land, the preference in the purchase or entry shall be given to the first occupant, and when the tract has never been occupied by any of the applicants, then to the most aged of them. Thirdly, that no entry shall, in any case, be made by any one person, under the provisions of this act, for an amount exceeding one section of land. Fourthly, that no purchase or entry shall be made, in any case, without a previous affidavit by the applicant, that the land is designed to be entered for the use of the applicant only, and for the purpose of settlement and cultivation. Fifthly, that no patent shall, in any case, issue until three years after the purchase or entry, and proof on oath by at least two credible witnesses, before the register and receiver of the proper land district, of three years' continued occupancy and cultivation subsequent to the date of the entry, accompanied also by the affidavit of the applicant to the same facts. Sixthly, that any sale, contract for sale, lease, or contract for lease, prior to the emanation of the patent, shall be utterly null and void, and operate as a forfeiture of the purchase-money and title to the United States. Seventhly, that a failure to commence the occupancy of the land entered under the provisions of this law, within four months after the date of the entry, by the person who shall have made such entry, shall operate as a forfeiture of the title and purchase-money to the United States. and an abandonment of the occupancy, by such person, within three years after the commencement thereof, shall operate a like forfeiture of the money and title to the United States. Eighthly, that no second purchase from the Government, or entry, shall be permitted, by any one who shall enter a section upon the terms and under the provisions of this law. Ninthly, that any one who is, at the date of this act, actually occupying and cultivating a tract of land, of which such person was the proprietor prior to the passage of this law, is permitted to purchase from the Government, or enter any unoccupied adjoining tract, not exceeding one section, upon affidavit that the purchase or entry is made for the purpose of enlarging his or her farm, and not for speculation, and that no patent shall issue for such tract, until the expiration of three years from the date of the purchase or entry, and that any sale, contract for sale, lease, or contract for lease, prior to the emanation of the patent, shall be utterly null and void, and operate as a forfeiture of the title and purchase-money to the United States. Tenthly, that any one swearing falsely, to obtain for him or herself, or for any other person, the benefit of the provisions of this act, shall be liable to all the pains and penalties of perjury; and that any person procuring another to swear falsely, to obtain for any one the benefits of this act, shall be guilty of subornation of perjury.

Some of these requisitions may be considered somewhat rigid, but they are not more so than may be necessary to introduce a system which, in its practical operations, will wholly prevent any future entries of the public domain for the purposes of speculation. Were this evil only diminished, much good would be effected. But your committee feel con-

fidant that the bill proposed by them will entirely suppress speculation in the public lands. Speculations would become impracticable, after the adoption of this system, for the following reasons:

First. The speculator must be guilty of subornation of perjury, in procuring the settler to swear falsely, that he enters the land for settlement and cultivation by himself, when in fact he enters it to sell to another.

Secondly. The actual settler would be required to commit perjury, in taking the oath by which he enters the land.

Thirdly. The speculator must incur the hazard of punishment for subornation of perjury.

Fourthly. The settler would incur the hazard of punishment for the crime of perjury.

Fifthly. No speculator would furnish the money to enter the land on a contract of sale by the settler, because such contract would not only be null and void, but operate as a forfeiture of the title and purchase-money to the United States. No capitalist, therefore, would incur the hazard as well as guilt of such an arrangement.

Sixthly. No settler under this law would consent to be made the guilty instrument of an entry for speculation. It is against his interest, for, by consenting to make this entry for another, he forever forfeits the valuable privilege of making another entry for himself. Three years continuous actual settlement and cultivation must precede the emanation of the patent and right to sell. Consequently, if the entry were made for the use of a speculator, he must have paid the settler, first, for incurring the guilt and hazard of perjury; secondly, for forfeiting the valuable privilege of ever entering a tract for himself; and, thirdly, for the loss of three years' time in occupying the land of another; and then the capitalist must have himself incurred the guilt and hazard of subornation of perjury, and the risk of losing his money and land by an entry in fraud of the law.

Seventhly. As the new States would be deeply interested in arresting the system of speculation and monopoly, the provisions of this law being in consonance with public opinion and public interest, would be rigidly and faithfully executed. No capitalist would dare attempt to procure a single entry for speculation in violation of this law, much less would he dream of the practicability of entering millions of acres every year by the employment of thousands of settlers. The expense, as well as the guilt and hazard, would be too enormous. An entry for speculation under the accumulated difficulties and expenditures arising under the provisions of this law, would be a loss, and not a speculation. When the speculator would have paid the settler for incurring the guilt and hazard of perjury, for forfeiting the privilege of entering another section for himself, and for three years' occupancy of the land, together with the original entrance-money to the Government and three years' interest, he could never sell the tract for cost and charges. To presume that even any frequent attempts would be made to violate the law, is to suppose the great body of settlers in the new States to be corrupt and vicious, the very reverse of which is the fact.

Under this system, then, lands being entered or purchased from the Government only for settlement and cultivation, the sales would be regulated by the annual increase of population in the new States and Territories. The estimate of this probable increase for the future, can best be ascertained by reference to the past. The population of the new

States and Territories of the Union erected out of the public domain, was, in 1800, only 59,632, in 1810, it was 410,057, in 1820, 1,230,334, and in 1830, it was 2,377,312. Thus, the increase from 1800 to 1810, was 350,425, or about 600 per cent.; the increase from 1810 to 1820, 820,277, or about 200 per cent.; the increase from 1820 to 1830, 1,146,978, or about 103 per cent. Thus, whilst the per centage of increase has diminished at every census, the actual increase being on a larger capital, has augmented at every enumeration. Conceding that the ratio of increase in the States and Territories falls to 63 per cent., as exhibited by the census of 1840, still the increase from 1830 to 1840 would be about 1,500,000; and your committee believe it will exceed this estimate. Assuming the average of entries by the settlers to be a half section each, as none could enter more than a section, and many could not or would not enter more than one-eighth, and assuming six as the usual average number of the family of each settler, himself inclusive, the quantity entered in ten years for settlement, would be eighty millions of acres, or eight millions of acres per annum. But this must be reduced by the fact, that there were 337,963 slaves in the new States and Territories, which could not be fairly included in averaging the family at six, and that on this account, about one-eighth must be deducted, which would reduce the amount entered annually for settlement, to seven millions of acres. But it must also be remembered, that a very large portion of this annual increase of population would not enter lands, and that at least two millions of acres must be deducted on this account, and this will leave five millions of acres as about the true amount that would be entered annually for settlement. Your committee, however, believe that it would rather be less than more than this amount.

By the system proposed by the committee, about five millions of dollars per annum would be received from the sales of the public lands into the national treasury. By sales for speculation, as well as settlement, assuming the present year as a criterion, about sixteen millions per annum, for a few years, it appears, would be realized. But, by these vast sales for speculation, all the valuable public lands would soon be entered, and the national domain soon cease to be a source of revenue. Thus, by the present system, we are exhausting this great fund for unnecessary revenue, instead of preserving it, as proposed by the committee, to yield a smaller annual amount, but for a much longer series of years, so as to render an increase of the tariff unnecessary. When the tariff reaches its lowest standard, in 1842, the revenue derived therefrom cannot much exceed thirteen millions of dollars. Let speculators by that period, or shortly thereafter, have entered all the public lands worth selling, at the minimum price, and an increase of the tariff becomes again inevitable. The system proposed by the committee will avoid these evils, by an annual addition of five millions of dollars, from sales of public land, to the revenue from duties on imports.

Having, as your committee hope, demonstrated the beneficial effects upon the whole Union of sales of the public lands for settlement only, they now proceed to the second branch of the subject—the reduction and graduation of the price of the public lands. The great argument heretofore urged against this measure, has been, that it would throw the public lands, at reduced prices, into the hands of speculators. This argu-

ment, however, ceases to apply, under the provisions of this bill, by which the public lands can be sold for settlement only. The sales of the public lands operate as a continual drain upon the resources of the West. The tariff upon imports has been greatly reduced, but the general system of reduction has not been permitted to apply to the relief of the Western people, by the reduction of the price of the public lands. The revenues of the General Government are chiefly appropriated in the erection of fortifications, and improvement of harbors, and other expenditures in the Atlantic States. Small, indeed, is the amount appropriated for the new States, whilst annual millions are drained from them by the sale of the public lands, for expenditure upon the maritime frontier. The new States contribute their full proportion to the revenue from the consumption of imports, and pay, in addition, another vast sum into the national treasury, from the sale of the public lands. Your diminution, then, of the burdens of the people, is unequal, when you refuse to diminish those burdens which operate only upon the people of the new States. Your reduction is sectional, because you refuse to apply it to the public lands, the great commodity purchased by the people of the new States. You fill your treasury to overflowing with an unnecessary revenue, instead of reducing all the burdens of the people of every State of the Union. Upon the same principle might you refuse to reduce the tariff upon cotton-bagging, because it was purchased only by the South, or decline reducing the tariff upon dye-stuffs, because purchased only in the manufacturing States, as refuse a reduction in the price of the public lands, because purchased chiefly by the people of the West. In all these cases you are only yielding up a portion of the national revenue unnecessary for the wants of the Government, and your refusal to extend the reduction to the great commodity purchased by the people of the West, is unjust and unequal.

The new States co-operated with the South in reducing their burdens by a reduction of the tariff, and yet, with pain and mortification, your committee perceive many Southern States co-operating with other of the old States, in refusing to extend to the people of the West the benefits of this system of reduction. That the new States, instead of menacing the Union, have submitted to this system of palpable injustice and inequality, affords a striking evidence of their devoted attachment to this confederacy, and presents a strong additional reason in favor of extending to them immediate and effectual relief.

Having proved, as your committee hope, that the price of the public lands ought to be reduced, the next question is, as to the rate of reduction. And here we recur to the act of Congress originating the system of selling the public lands, passed on the 20th of May, 1785. By this act the price was fixed at one dollar per acre. If this price was not too great for fresh lands then, when the Government was poor and oppressed by a heavy debt, it cannot be considered as too high now, when the Government is relieved from all debt, and is collecting a large unnecessary revenue. Were we to propose to reduce the price of fresh lands, never offered for sale, to the price fixed for similar lands by the act of 1785, there could be no just ground of complaint. Being, however, deeply solicitous to obtain the support of all the friends of moderate and gradual reduction, we do not propose to reduce at present the price of

public lands that have never been offered for sale. Our proposition is to reduce the price of all lands that now have remained, or hereafter shall have remained, five years subject to entry, and less than ten years, to one dollar per acre, ten years and less than fifteen years to ninety cents per acre, fifteen years and less than twenty years to eighty cents per acre, twenty years and less than twenty-five years to seventy cents per acre, twenty-five years and less than thirty years to sixty cents per acre, and all lands that shall have been thirty years and upwards subject to entry, shall be reduced to fifty cents per acre. As, under this system, all lands that have not been five years subject to entry, will be sold at a dollar and a quarter per acre, and at a dollar per acre from the fifth until the tenth year, the average price at which the public lands would be sold, would be at least a dollar per acre. It must be perfectly obvious to all, and the committee will establish the fact by authentic proofs, that the public lands are of very unequal value. In almost every township there is a great variation in the value of the public lands. Many lands that will never command the present minimum price per acre, might be sold at a price descending from the present standard to fifty cents per acre, whilst millions of acres are wholly unsusceptible of cultivation, and can never be sold at any but a nominal price. Why fix the same unvarying price upon all lands, the good as well as the inferior? The price should sink by a descending scale, graduated by the decreasing value. The nearest possible approximation to this descending rate of value, is the plan proposed by the committee. As a general rule, the lands that have remained for a series of years unsold, after they became subject to entry, must be less valuable than the fresh lands, and the value, as a general rule, diminishes with the length of time that the lands have been subject to entry. There are occasional exceptions to this rule, but not more than sufficient to prove its general application. This graduated scale of reduction is the nearest approximation to justice, whilst the unvarying price is the farthest from it. If all the public lands were at once reduced in price, without any graduation, the new and fresh lands would chiefly be sold; but the reduced prices will effect the sale of many inferior lands, that would never be sold at the present fixed minimum price per acre. The reduced price will operate chiefly in favor of the poorer class of citizens, who have not the means of paying the present price. It will enable many a day laborer to become a farmer and owner of the soil he cultivates.

Though that soil, purchased at the reduced price, may be less productive than the farm of his wealthy neighbor, yet it will be his own, it will be his home, and sufficiently fertile to supply the wants of himself and family. It will effect a change most beneficial in his condition, and highly conducive to the best interests of the nation. Shall the Atlantic States continue to drain vast sums of money for public lands from the people of the West, expend it on the seaboard, and refuse to diminish the burdens of the Western people, by reducing the price of the public lands? Such a system is unequal, unjust, and oppressive. To exhaust the resources of one section for perpetual expenditures in another, cannot be equitable. Suppose the interior States would refuse appropriations for fortifications on the seaboard, upon the ground that, by leaving it defenceless, they would thereby tempt many of their citizens to emigrate to the West. This would be most un-

just, and yet it is not more so than the refusal of the maritime States to reduce the price of the public lands, because such refusal would retard the growth of the West. The West has ever been willing to expend her treasure and her blood in defending the maritime cities, and shall the maritime States so legislate as to retard the settlement of the West? Such a course would neither be wise nor patriotic. It would impose perpetual and undiminishing burdens upon the people of one section, for the benefit of another, and render the Government of the Union an instrument of oppression and injustice.

The system we propose, disrobes the Government of the character of a speculator, and the auxiliary of speculators, upon the pioneers of the West. The Government, under the present system, for the purpose of revenue only, is throwing the public domain into the hands of speculating monopolists. It will thus aid the sale, whilst it retards the settlement and cultivation of the lands of the West. It is reviving many of the evils of the old feudal system of Europe. Under that system, the lands were owned in vast bodies, by a few wealthy barons, and leased by them to an empoverished and dependent tenantry. The same consequences must result from the monopolies now progressing in the public lands. Eight millions of acres of the public lands have probably passed during the last year into the hands of a few wealthy speculators, who will hold them up at an extravagant value. These lands therefore will remain unoccupied for many years, or occupied only by a dependent tenantry. This is deeply injurious to every portion of the Union. The owner and cultivator of a single farm confers greater benefits upon the community than the monopolist of thousands of acres, permitted to lie waste and uncultivated. The productions of the soil constitute the principal resources of this great nation. Upon the farming interest, are all others dependent for their wealth and prosperity. That interest furnishes us not only with food and raiment at home, but sends abroad that hundred of millions in value of exports, which is carrying onward so rapidly the prosperity of this republic. Every new farm that is cultivated in the West adds to the wealth and prosperity of the whole Union, whilst the investment of millions in uncultivated lands, draws so much money from the channels of productive industry, and depresses the energies of the whole country. The one system will leave the lands of the West waste and uncultivated, the other will subdue the wilderness, and fill it with smiling farms and prosperous villages. The one system will place upon the lands of the West a few wandering and empoverished tenants, controlled by absentee landlords, the other will plant upon your soil a virtuous and independent yeomanry, the owners of the soil they cultivate. The one system will add thousands to your population and resources, thousands to the products of your soil, to your imports and your exports; the other system will invest millions in wholly unproductive capital, and arrest the settlement and cultivation of the soil.

This system of speculation has within the last year progressed to an extent alarming to every friend of equal rights, and should be terminated at once and forever. These monopolies will be terminated by the system proposed by the committee, and the public lands reserved as a perpetual inheritance for the farmers of the Union.

The bill of the committee will greatly augment the population of the

Union. It is an undisputed principle of the law of population, that it is most rapidly increased, by increasing the facilities of subsistence. The vast effects of this principle are illustrated by comparing the relative advance in population of Ohio, with any of the States upon the continent of Europe. Where, forty years past, was one vast and untrodden wilderness, now is a mighty State, with a population greatly exceeding a million, planted ere the present baleful spirit of speculation and monopoly of the public lands had seized upon the capitalists of the Union. No man will pretend that, if the Union had been confined to the original thirteen States, with their present boundaries, and the new States remained wholly unsettled and uncultivated, that the population of the Union would have been as large by several millions as it now is. Upon every principle that has governed the progress of population, there would now be at least two millions of people less within the limits of the Union, had that Union been confined to the present boundaries of the original thirteen States. A loss of two millions of people to this Union would be indeed incalculable. It would diminish one-seventh, the power and strength of this nation, both in war and in peace. It would greatly decrease the moral and physical power of this Union, render us less prosperous in peace, less powerful in war, more liable to foreign aggression, and less able to repel it. All the revenue from imports and from public lands bears no comparison with the value of two millions of people. Will the just, the humane, the generous people of the old States, desire to retain the poor man forever poor within their limits, when, by reducing the price of the public lands, they may enable him to procure for himself and family a happy home in the great valley of the West? Are the old States willing to avow the principle that they desire to restrain emigration to the West? It was one of the complaints of the thirteen States, in their Declaration of Independence, that the British Crown desired to retard our growth, by increasing the difficulties of obtaining lands in the colonies: and will these same thirteen States now act upon the same odious principle towards their sisters of the West? The resident of Rhode Island, who becomes a resident of Michigan, does not cease to be a citizen of the American Union; and if, by this change, he improves the condition of himself and family, why should Rhode Island object, when the increased prosperity of every American citizen, augments the national strength and glory? Suppose that the new and the interior States should all act upon this narrow and selfish policy towards the States upon the Atlantic seaboard? Suppose they objected to fortifying the seacoast, upon the ground that it drained the money of their citizens for expenditures beyond their limits upon the maritime frontier: what would be the reply of the Atlantic States? It would be, that, in defending the seaboard States, the West aided in defending a part of the republic: and is not the argument equally just, that, in increasing the prosperity of the West, you augment the strength of the Union? Shall there then be no reciprocity of benefits, in conducting the affairs of this great republic? So long as the means of subsistence are easy, an increase of capital is nothing to a nation, compared with an increase of population. More especially is this true, when this population is composed of the productive and industrious classes, settled upon their own farms, and cultivating their own soil. But the system which would restrain emigration to

the West, reverses all these principles, and sacrifices the prosperity of the nation to sectional prejudices and sectional interests. The American statesman who loves his whole country, should adopt that policy which will most rapidly increase the population of the whole nation. The inquiry should not be, what policy will best promote the interest of the old States or of the new States, but what will most rapidly increase the prosperity and population of the whole Union. Viewing the question in this light, the policy of cheapening to farmers and settlers the price of the public domain cannot be doubted.

The existing situation of a neighboring territory presents another strong inducement to reduce to settlers the price of the public lands. Texas has now passed from a successful revolution into an independent government. Whether the people of this Union and the people of Texas (as your committee desire) will consent to its incorporation, as a part of this confederacy, is a question undetermined. Until this question is determined, Texas must be regarded, for the present, as an independent neighboring republic. Stretching, by the boundary which she will obtain, from the Sabine to the Del Norte, from latitude twenty-seven south upon the Gulf of Mexico, and approximating latitude forty north, possessing every variety of climate from New England to Florida, a most salubrious atmosphere, a soil fitted for every variety of product, and inviting Northern as well as Southern emigration, Texas must, in any event, carry off a considerable portion of our population from every quarter of the Union. She possesses, within the above-mentioned limits, about two hundred and thirty millions of acres, being rather more than four times the extent of Virginia. Not more than twenty-five millions of acres of this vast domain are covered by valid grants. With this mighty territory, and a sparse population, Texas, being deeply solicitous to increase her physical strength, will do as every other state, possessing the control of its public domain, has done in all former periods. She will throw open this vast body of fresh and fertile lands to actual settlers, and to them alone, at prices nearly nominal. What will be the inevitable consequence? That the emigration from the old States, and from Europe, which now settles the public domain in the new States, will, unless we reduce the price of our public lands in favor of actual settlers, pass beyond our limits, and establish themselves in Texas. The poor man of the old States, who desires to obtain a farm for himself and family, and has not the money to pay our present prices, will necessarily go to Texas. Many, also, who can pay the present prices of our public lands, will also go to Texas, where they can get cheaper and equally fertile lands. If we keep up the price of our lands, whilst Texas fixes her lands at a nominal value, the exhausting effect upon the wealth and population of the whole Union can scarcely be calculated. It will greatly depress the navigating, commercial, and manufacturing interests of the North, and reduce the value of property throughout the Union. When emigrants from the old States settle in the new States, there being a perfect system of free trade between all the States, the prosperity of the new States reacts in favor of the old States, and improvement in any one State advances the prosperity of the whole Union. Every new farm settled in the West gives business to the merchant, the manufacturer, and freighter, of the old States, and adds to the wealth and prosperity of the whole Union. But not so with emigra-

tion from the old States to another republic. Our trade with such republic cannot be free. Other nations may furnish its supplies, and there is nothing in return to compensate us for the exhaustion of capital and emigration. We may greatly diminish these threatening evils by reducing to settlers the price of our public lands. If we reduce our lands to the standard fixed by Texas for her lands, the loss of the nation by emigration there will be comparatively small. But, if we keep up the price of our lands, whilst Texas fixes her lands at a low rate, we shall lose by emigration at least a million of our population within the next ten years. Can any sum paid into the national treasury compensate this nation for the loss of a million of her people? It cannot, and we should lose no time in endeavoring to prevent these threatened calamities. Should we refuse to act now, we will, when it is too late, when our population is gone, and property reduced in value, deplore our folly and want of foresight. The present emergency demands immediate action. Without this action the very life-blood of the Union will be exhausted, and a general depression of property, a languishing commerce, a decay of districts, towns, and cities, will certainly ensue. The current of emigration from one part of the Union to the other, from the old to the new States, rolls back a golden tide of trade and business. The old States now supply nearly all the wants of the farmers of the valley of the West, and hence its prosperity wonderfully promotes the welfare of the older States of the Union. The poor emigrant from the old States, who establishes a farm in the West, soon contributes *more* to the wealth and commerce of the State he left than if he had remained there in dependent poverty. The prosperity of the new States reacts, through the channels of trade and business, in favor of the old States, and hence the wonderful growth of the whole country.

The system we propose will have a wonderful tendency to perpetuate the Union. Under the existing laws, the public lands are now rapidly passing from the Government into the hands of speculators. Sales at the rate of thirteen millions of acres per annum, will soon exhaust all that is worth selling of the public domain. But, if the sales be made only to settlers in limited quantities, this great domain will remain for a much longer period the property of the nation, for the sacred purpose only of establishing farms, and securing a freehold to the poorest American. Whilst the whole Union will derive from the sales for settlement only, such moderate and almost unfluctuating revenue, as to render an increase of the tariff unnecessary, this noble domain will be filled annually with an industrious population, whose devotion to the Union will be greatly enhanced by the fact of their receiving their farms and homes at a cheap rate from a paternal Government. How different must be the effect of persevering in the present system? The lands of the West passing into the hands of speculators, all reduction of the price even of inferior public lands refused, even the labor of the settler upon public lands is set up at auction by the Government, and many a tract, rendered only valuable by the improvements of the occupant, is made a subject of speculation; the new States drained annually of millions for expenditure in the seaboard States, and the prosperity of these new States sacrificed for unnecessary revenue. Such a policy must excite sectional feelings, and tend to weaken the bonds of our union. That

the West never has menaced, and we trust never will menace the Union, to obtain any advantage for herself, gives her a strong additional claim to the favorable consideration of the General Government. You have only realized about fifty millions of dollars from sales of the public lands, but from duties you have received about seven hundred millions, and the more you promote the settlement and cultivation of the soil, the more rapidly will you increase the exports, and consequently augment the imports of the country; and how vastly has your revenue from imports been increased, and must continue to increase, from the settlement and cultivation of the soil of the West, and thus has added millions, and will add millions more, to your revenue from this source.

We hold it to be a sound maxim, that no more money should be collected from the people than is essential for the wants of the Government; all beyond this is tyranny. Government is an agency created by the people for their benefit, and that they should be drained of millions annually beyond the wants of this Government, is the very essence of despotism. Leave all unnecessary surplus uncollected in the pockets of the people, and let each freeman expend his own money for such purposes as will, in his opinion, best promote the happiness of himself and family. If the General Government may collect fifty millions of unnecessary revenue, it may collect five hundred millions, and thus subvert the liberties of the people.

The remedy for a surplus revenue is simple: reduce the revenue and the surplus disappears. *Reduction* and not *distribution* is the true policy of the Government. Reduce, and there is no necessity to distribute; but distribute, and you will never reduce. Now you have greatly reduced the revenue from duties on imports, decrease the revenue still further, by diminishing the price of the public lands, and confining the sales to actual settlers, and your dangerous surplus soon vanishes. Is this system of sales to speculators at the same unvarying unreduced price to be perpetuated? If so, you perpetuate the system of a surplus revenue. You drain annually from the people, large amounts of unnecessary revenue. You fix the surplus system as the established policy of the Government, and persevere in enriching the treasury annually at the expense of the people.

The General Government should never speculate upon the settlers of the public domain, nor aid others in so doing. There are two classes of speculators: one class, comprising many respectable citizens, who occasionally enter or purchase public lands unoccupied by any settler. Although no moral wrong is committed by these individuals, yet even this species of purchase or entry, for speculation, should be arrested, as contrary to the policy of the country, and calculated to retard future settlements. But there is another and very numerous class of speculations upon the public domain, not only permitted, but encouraged by our existing laws, and replete with fraud and extortion. It is this: Immediately succeeding the advertisement of large bodies of public lands for sale at auction by the United States, this second class of speculators explore the whole country advertised for sale, take the number of every quarter section upon which a settler is established, add the value of the improvement made upon the land, by the sweat of the brow of the industrious occupant, to the intrinsic worth of the waste land, and thus compel the

settler to pay either the speculator, or the Government, not the value of the land only, but in addition, the value of the improvement made by the occupant himself, after years of toil and labor. In this way, either the speculator or the Government receives money for that which is not its own. It receives money for improvements which it has not made, and houses which it has not erected. It puts, without any compensation, the money for the labor of the settler into the public treasury, or enables the speculator to put this money into his own pocket. By this system, the Government co-operates with the speculator in depriving the industrious occupant of all remuneration for his labor; and small indeed is the profit which the Government derives from this legalized system of plunder and spoliation.

The authentic records of the land office demonstrate that the speculator is the monopolist of nearly all the profit of this immoral, unjust, and oppressive system; a system which is a stain upon the honor of a great nation. The poor but industrious occupant generally attends the land sales, having no more money than a sum sufficient to buy the land he occupies at the minimum price; a speculator bids a few cents over him, and becomes the purchaser of the land, and the owner of an improved farm, paying not one cent for the value of the improvements. In other cases, where the settler has collected something more than the money sufficient to pay for the land he occupies, at the minimum price, and bids that sum, the speculator, by some secret agent employed by him, overbids the settler, the land is struck off to this agent, and the settler leaves the sales in disgust, to mourn over the injustice of the Government of the Union, and to prepare for the removal of himself and family from the little farm which he had improved and expected to have purchased from a paternal Government. After the departure of the settler, the tract is forfeited for non-payment, and the speculator purchases in his own name the forfeited tract, probably at the minimum price per acre. The scenes ensuing many of our land sales are scenes of the deepest distress and misery. They are scenes in which many families are driven forth from their homes to seek some other spot in the wilderness, where keen-eyed avarice and sordid monopoly may not overtake them. But another land sale comes on, the same scene is repeated, till all hope is extinguished, and nothing is left to the settler but despair and ruin. Yet these scenes of fraud and cruelty are of constant occurrence, permitted and encouraged by the present system of the sales of the public lands at public auction. Your committee have said that the speculator, and not the Government, reaps nearly all the profit of these inglorious transactions, and this is proved by the records of the land office. By the documents from the land office it appears, that taking all the sales of the public lands, from the adoption of the cash system, in July, 1820, down to the present period, the average price received by the Government upon these sales, has been less than six cents per acre over the minimum price. And it is for this miserable pittance of less than six cents per acre that this great nation incurs the disgrace and dishonor of sending forth the remorseless speculator, authorized and encouraged by our existing laws, to drive from their homes those hardy pioneers who were erecting a home in the wilderness, those industrious and enterprising citizens who in peace subdue the forest and cultivate the soil, and who, whenever danger threatens their country,

are the very first to march to the rescue. As there are no citizens more useful and more patriotic than these, so there are none more justly entitled to the regard of the Government. Yet these are the very men who, by the present system, are sacrificed, not for the benefit of the Government, but of speculators. Surely, then, such a system ought to be abandoned. Whilst, then, your committee do not propose the immediate reduction of the price of fresh lands, never offered for sale, they do recommend the total abandonment of the auction system, as productive of no benefit, except to the speculator, disgraceful to the Government, and fraught with the most corrupting consequences. In lieu of this system, your committee propose that all public lands, not yet offered at public sale, shall, at the expiration of four months after an advertisement of the returns of the surveys to the proper land office, become subject to entry at the present minimum price, but in all cases, for settlement and cultivation only, and not for speculation; giving, in all cases, a preference to the first occupant, for the section which he cultivates, and upon which he resides; and the same system your committee apply to the land already subject to entry, at the prices as graduated and reduced by this bill. The system proposed by your committee is not the pre-emption system, but a substitute for it. As, however, the pre-emption system has been greatly traduced, and many, without investigation, have been led to believe that the Government has lost millions by the operation of this system, your committee will proceed to demonstrate, from authentic documents, that the total loss (if any) by this system, from the adoption of the cash sales, in July, 1820, to the present period, is, at the highest estimate, \$143,259.

By Senate document No. 376, being a report from the Secretary of the Treasury, ordered to be printed May 19, 1836, it appears, that the number of acres taken by pre-emptions, from the adoption of the cash system to the present period, is 2,387,650 acres, for all which the pre-emptioners paid the Government the price of \$1 25 per acre. Now, by the documents from the land office before referred to, it appears that the average price obtained for all the public lands sold since the cash system, is less than \$1 31 per acre; being an excess of less than six cents over the minimum price. Now, multiply the total number of acres procured by pre-emptions, as before given, by six cents, and the result is \$143,259, being the highest estimate of loss arising from the pre-emption system, instead of the millions upon millions so frequently proclaimed by the enemies of the system. By inquiry, however, at the land office, your committee have ascertained that a large body of lands sold to citizens of Louisiana under the various back concession laws, selling at the minimum price the swamp lands in the rear to the owners of the front tracts, is embraced in this statement from the Treasury Department, which would still further reduce the loss, and the floats most unwisely attached to the pre-emption system of late years, and which have given rise to all the frauds complained of, have still further increased the estimate. This system of floats, now abandoned by all, should constitute no objection to the pre-emption system. The committee, however, have made no deductions on these accounts. Now, is the loss to the Government of this paltry sum, being less than \$9,000 per annum, any equivalent for the proposed sacrifice to speculators of the farms of so many industrious citizens; and when we deduct from this sum the expenses attending land sales, additional to

those incurred at sales by private entry, this supposed loss is still further greatly reduced. But the average price obtained for the public lands during the last year, which is the safest criterion, is but two cents and a small fraction over the minimum price per acre, the total of sales in 1835 (exclusive of two small returns not received) being 12,418,07.76 acres, and the price for the whole being \$15,811,144 98. Taking, then, the sales of last year as the criterion, and the total estimate of the entire loss from this pre-emption system, multiplying 2,387,650 by two cents, would be \$47,753, and deducting from this the additional expenses of land sales beyond the expenses of sales at private entry, and the loss to the Government cannot exceed five hundred dollars per annum. But, in fact, there is no loss from the system, for the occupancy of the land district by settlers preceding a land sale, gives additional value to the unoccupied land, and causes it to bring a better price. Thus, by document No. 376, before referred to, the total number of acres covered by pre-emption claims in 1832 was but 49,971.17 acres, and in 1834, 637,597.59 acres, and in 1835, 574,936.85 acres; yet, in each of these two last years, the average price obtained for the public lands, as shown by the land office returns, is *greater* than in 1833, when less than one-tenth the number of acres were covered by pre-emption claims. Nothing, then, in point of fact, is gained by the Government by the present system of public sales, whilst it introduces fraud and oppression, and a sacrifice of the industrious settler to the baleful spirit of speculation.

No nation but this speculates upon her citizens in the sale of the public domain. Great Britain, France, Spain, Mexico, gave their lands to their citizens upon the condition of settlement only. The various States of this Union having public lands of their own to sell, sell them at nominal prices to settlers, and not to speculators. From various State laws, of a similar character, we will quote from the laws of the State of Maine only. By the first section of her act of 1824, she declares that her lands, in limited quantities, "shall be sold to such persons *only* as may wish to become actual settlers," and the price fixed is "thirty cents per acre;" and, by the eighth section of the same act, there is secured to every actual settler, upon any tract, "a prior right of purchase." Here are the settlement and pre-emption principle both embodied in the laws of Maine; and your committee believe that the same principles, substantially, will be found in the laws of all the States having public lands of their own within their limits: nor are the checks and guards against frauds in the laws of those States by any means so numerous and rigid as those proposed in this bill. Frauds may have occurred under the State laws which could not take place under the provisions of this bill. But because frauds may have been perpetrated in some cases upon lands in the old States, did those States consent, or would they ever have consented, to throw open all their lands for entry by speculating monopolists, and turn their citizens round to buy of them at exorbitant prices? Why should the old States confine the sales of their own lands to actual settlers, and refuse to act upon the same principles as regards the sale of the lands in the new States? Why sell to settlers only in their own States, and to speculators mainly in the new States? If these lands were within the limits of any old State, and subject to sale by their Legislatures, how soon would they reduce the price, and limit the sales to

actual settlers? But now, how different the policy. The question seems to be, not what will best promote the settlement and cultivation of the soil of the West, but how can we derive most money from sales of the public lands to speculating monopolists.

There are many millions of acres of the public lands that will remain forever unsold at the present price. To hold these lands at a price that can never be obtained for them, is to violate the spirit of the compacts by which they were ceded to the General Government; which compacts declare that they shall be "*disposed of*." To refuse a sale altogether, would be a manifest infraction of the compacts; and is not the exaction of a price which the lands will never bring, equivalent to a refusal to sell? But we are told by the opponents of reduction and graduation that the sales of the public lands are still progressing in the State of Ohio. But this State, as we will show, is an exception to the general rule. She has neither mountains nor vast inundated swamps, nor unproductive pine barrens, nor unculturable prairies, to create a large body of refuse lands. She has, as appears from the authentic documents, but 666,000 acres of public lands unsold, ascertained to be unfit for cultivation. Far different is the case in all the other new States and Territories of the Union.

By a resolution of the Senate of the 25th of April, 1828, the registers and receivers of all the various land districts were required to report the quantity, quality, and probable value of the unsold public lands. This report was made in 1828, and we annex hereto, in a table marked "A," the estimates compiled from these reports. To this table your committee would desire to call the attention of the Senate. From this table it appears that but 666,000 acres of land were ascertained to be unfit for cultivation in the whole State of Ohio, and the average price of all the unsold public lands in Ohio was estimated at sixty-seven cents per acre; in Indiana the quantity unfit for cultivation 2,430,000, and the average price per acre, of all the unsold public lands, ninety cents; in Illinois 6,027,000 acres unfit for cultivation, and the average price per acre fifty cents, of all the unsold public lands; in Missouri, 5,700,000 acres unfit for cultivation, and the average price per acre of all the unsold public lands, twenty cents; in Alabama, 6,915,000 acres unfit for cultivation, average price per acre of all the unsold public lands, twenty cents; Mississippi, 8,294,000 acres unfit for cultivation, average price per acre, seventeen cents, of all the unsold public lands; Louisiana, unfit for cultivation, (*very partial returns*) 687,000 acres, average price per acre of all the unsold public lands, thirty-seven cents. From the annexed table, made out from the official returns, it appears that of the whole 83,110,873 acres unsold and subject to entry on the 30th of June, 1828, there were returned 34,278,000 acres unfit for cultivation; 5,614,000 acres first-rate (no doubt now entered) and the remainder, being 43,218,000 acres, inferior. But, from the general data from the land offices not making specific returns, but giving general information, at least 13,000,000 more must be set down as unfit for cultivation, making the total amount 56,218,000 acres unfit for cultivation. From the returns furnished, the average price per acre of the 83,110,873 subject to entry on the 30th June, 1828, is *thirty cents*. Now, should this vast body of public lands be held forever at one unvarying price of \$1 25 cents per acre? Is such a course consonant

with the spirit of the compacts by which these lands were acquired? Is it just to the States in which these lands are situate? Is it wise, as a mere question of revenue? Why hold at one unvarying price lands so utterly different in value? As well might you fix the golden eagle and a fifty-cent piece of silver at the same value, because they were of the same size, as to fix a section of refuse lands and a section of fresh lands at the same price, because their superficial extent was the same.

Your committee will select, from many cases of a similar character, that of the Augusta land office, Mississippi, as presented by the authentic returns. The number of acres unsold on the 30th of June, 1828, was 5,670,000 acres, the average price estimated by the register and receiver, five to eight cents per acre; first-rate none; worth the minimum price none; unfit for cultivation 5,000,000 of acres; which land had then been subject to entry from five to eighteen years, and consequently has been now subject to entry from thirteen to twenty-six years. And is this land selling, or will it ever sell, at the present price? By the returns from the Commissioner of the Land Office, under date of the 21st of April, 1836, giving a statement of the lands purchased at that office, from its establishment to the close of the year 1830, when the valuable Choctaw lands were ceded, and shortly afterwards in part attached to this land district, it appears that the whole amount sold in the old district was 4,700 acres, and not an acre beyond the minimum price. This presents conclusive evidence that these lands never will sell at the present price, and that they are truly estimated, by the register and receiver of the land district, at an average price of from five to eight cents per acre. At the present rate of sales for the last twenty-six years, exhibited by the above returns from that office, it would require 7,839 years to sell out only one-half the lands in the Augusta land district, being a period exceeding the time from the creation of the earth to the present moment; and many other of the old land districts will exhibit nearly similar results. By the returns from the land office under date of the 27th of April, 1836, it appears there were then subject to entry at private sale 119,259,728.34 acres, showing that the *refuse* has increased 36,148,855 since the 30th of June, 1828, and must continue to increase, as new districts are from time to time exposed to sale. Taking the average of the value of the refuse of 1828 as a fair estimate of the value of the refuse of 1836, there would now be in market at least 80,000,000 of acres not worth the minimum price, and at least 60,000,000 of this 80,000,000 unfit for cultivation. But it may be asked, Whence, then, come the present large sales of the public lands? These sales and entries arise from the following sources: 1st, from the sales of a small portion of the lands embraced in table A, as subject to entry on the 30th of June, 1828, leaving the present unsold balances of those lands *still less valuable*; 2dly, and almost entirely, from the prodigious quantity of fresh land offered for sale *since* the 30th of June, 1828—the whole quantity offered for sale up to the 1st of January, 1836, being 169,178,042, and the refuse 119,259,728. Why then hold up this immense mass of refuse lands at prices the lands will never bring? The graduation principle is the nearest approach to justice which can be devised, whilst the refusal to graduate is the most unjust and unequal. The new States seem to be looked to now, rather as a source of revenue from the sales of their lands, than with a view to

the promotion of their settlement and prosperity. Calculations of the increased population of the new States are held up to the jealous scrutiny of the people of the old States, as if the new States were not members of the same confederacy, and as if those calculations were not most useful which would demonstrate what system would best promote the welfare and prosperity of the whole Union. Our wonderful growth as a nation has been mainly promoted by the settlement of the West.

And have not the people who settle these new States stronger claims to the consideration of the Government, in regard to the disposition of the public domain, than the older members of the confederacy? The people who have settled and are settling the new States, give to your public domain there nearly all its value. But for them, those lands would still remain a mighty wilderness, like the lands of Oregon, utterly valueless, however fertile, because it was a wilderness. The people who settle the new States encounter many difficulties and dangers. In the early settlement of the country they are generally surrounded by a savage foe, and the soil they cultivate is often moistened by their blood. The life of the pioneer is almost universally one of toil and danger. He can enjoy but few of the comforts, and none of the luxuries of life. To subdue the wilderness is not an easy conquest. The early settlers of a new country enter the mighty forests of the West, finding your lands there bearing no value. They explore and conquer the wilderness; they make roads and bridges, towns and cities, with their own labor and their own capital, and thus give to your public lands nearly all their market value. They give these States to the Union, and have surely a stronger claim upon you, as regards the disposition of the public lands, than any people who have never seen these new States, and expended neither time nor capital in improving the lands within their limits. Take from the new States the labor and capital employed there by their citizens, and your public lands would have little or no market value. These are facts that should never be forgotten by the just and generous citizens of the older States of the Union. Let us sell, then, only for settlement and cultivation, and at reduced prices, and we will make some return to the new States for the value which their labor and capital have given and are giving to your public domain.

The committee propose the sale and entry of all the public lands in forty-acre lots—a measure highly important to the poorer class of citizens, and injurious to no interest whatever. We also recommend that all public lands which shall have remained unsold for thirty-five years after they become subject to entry, shall be ceded to the States, respectively, in which such unsaleable refuse is situate, at the price paid by the United States for surveying the lands.

If we may take Ohio as an example, less than a million of acres will be obtained by any State under this provision. If more land than this is obtained by any one State, it will be because the refuse remaining unsold after a lapse of thirty-five years from the period of its becoming subject to entry in such State, will be almost wholly unfit for cultivation, and would not, from the nett proceeds of the sales, pay the expenses incurred by the Government for continuing the land offices in those States. Your committee herewith report a bill conformable to the principles of this report.

TABLE A.

Compiled from the returns made to the Senate of the United States, in 1828, by the registers and receivers of the various land offices, in pursuance of a resolution of the Senate of April 25, 1828.

STATE AND DISTRICT.		Quantity unsold at \$1.25 per acre, on 30th June, 1828.	First rate.	Unfit for cultivation.	Average value per acre.	Offered for sale by the United States.	Offered as gifts by foreign powers.
		<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Cents.</i>	<i>Years.</i>	<i>Years.</i>
Marietta,	Ohio	406,000	None -	100,000	50	8 to 28	
Zanesville,	do	647,900	None -	-	-	8 to 24	
Steubenville,	do	131,835	None -	None -	100	8 to 28	
Chillicothe,	do	1,011,928	None -	126,000	75	8 to 28	
Cincinnati,	do	800,000	-	-	103	8 to 28	
Wooster,	do	162,483	None -	40,000	90	8 to 24	
Piqua,	do	2,294,000	-	-	-	6 to 8	
Delaware,	do	1,641,900	200,000	400,000	50	4 to 7	
Total in Ohio		7,196,256	200,000	666,000			
Jeffersonville,	Ind.	1,499,926	70,000	280,000	44	8 to 20	
Vincennes,	do	3,406,445	850,000	1,700,000	-	6 to 21	100
Crawfordsville,	do	1,952,260	-	100,000	125	1 to 8	
Indianapolis,	do	1,842,000	350,000	350,000	-	4 to 8	
Fort Wayne,	do	1,546,000	200,000	-	-	2 to 5	
Total in Indiana		10,245,625	1,470,000	2,430,000			
Kaskaskia,	Illinois	1,480,000	-	-	-	1 to 12	100
Shawneetown,	do	2,689,000	1,995,000	298,000	100	7 to 14	
Edwardsville,	do	2,783,000	118,000	1,195,000	48	3 to 12	
Vandalia,	do	2,793,000	900,000	1,800,000	54	4 to 7	
Palestine,	do	2,496,000	500,000	1,000,000	30	5 to 7	
Springfield,	do	1,947,000	212,000	1,734,000	12½	1 to 4	
Total in Illinois		13,195,000	2,935,000	6,027,000			
St. Louis,	Missouri	2,219,000	None -	1,600,000	15	3 to 10	40
Franklin,	do	2,709,000	-	-	-	3 to 10	40
Jackson,	do	4,430,000	88,000	4,000,000	12½	2 to 8	40
Palmyra,	do	2,513,000	71,000	100,000	-	3 to 10	40
Lexington,	do	1,700,000	-	-	62½	1 to 4	
Total in Missouri		13,574,000	159,000	5,700,000			
St. Stephens,	Alab.	2,200,000	-	-	-	4 to 16	100
Cahaba,	do	2,418,000	-	-	-	7 to 10	
Huntsville,	do	3,322,000	None -	2,100,000	-	7 to 19	
Tuscaloosa,	do	3,149,000	None -	3,000,000	5	2 to 7	
Sparta,	do	2,502,000	687,000	1,815,000	40	1 to 5	
Total in Alabama		13,613,000	687,000	6,915,000			
Washington,	Miss.	1,870,000	None -	1,179,000	40	7 to 20	75
Mount Salus,	do	3,230,000	Very little -	2,115,000	25	1 to 5	
Augusta,	do	5,670,000	None -	5,000,000	5 to 8	5 to 18	100
Total in Mississippi		10,670,000	-	8,294,000			

TABLE A—Continued.

STATE AND DISTRICT.		Quantity unsold at \$1 25 per acre, on 30th June, 1828.	First rate.	Unfit for culti- vation.	Average value per acre.	Offered for sale by the United States.	Offered as gifts by foreign Powers.
		<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Cts.</i>	<i>Years.</i>	<i>Years.</i>
New Orleans,	Lou.	-	-	Nearly all -	-	1 to 4	80
Ouachita,	do	1,389,000	95,000	740,000	26	2 to 6	80
Opelousas,	do	1,266,000	Very little -	-	50	2 to 10	80
St. Helena,	do	-	Very little -	Nearly all -			
Total in Louisiana		2,655,000	95,000	740,000			
Detroit,	Mich.	3,162,926	-	-	-	1 to 11	100
Monroe,	do	1,120,000	-	-	-	2 to 4	
Little Rock,	Ark.	2,758,554	Little -	Great -	-	2 to 7	40
Batesville,	do	2,683,671	53,000	2,500,000	3½	2 to 6	40
Tallahassee,	Flor.	1,571,810	10,000	1,000,000	10	1 to 3	100
St. Augustine,	do	312,731	5,000	5,000	50	½	100
Aggregate - -		83,110,873	5,614,000	34,278,000			

A BILL to arrest monopolies of the public lands, and purchases thereof, for speculation, and substitute sales to actual settlers only, in limited quantities, and at reduced prices ; to equalize the grants of the public domain among the several new States of the Union ; and to provide for the cession of the unsaleable refuse to the States in which such lands may be situate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act, no further sales of the lands of the United States, at public auction, shall be permitted.

SEC. 2. *And be it further enacted,* That, in all the respective land districts of every State and Territory of the Union, where approved surveys of any townships of the public lands never yet offered for sale are now filed in the land offices of said districts respectively, the register and receiver of said land offices, respectively, shall immediately advertise said lands for sale, for four months continuously, in some newspaper printed at the city of Washington, in the District of Columbia, and, also, for the same period of time, in some newspaper printed in said land district, if there be any newspaper printed therein, and if there be no newspaper printed therein, then in some newspaper printed in said State or Territory in which said lands so advertised to be sold are situate ; whereupon said lands shall become subject to entry, in the manner hereinafter provided in this act ; and in the same manner, hereafter, as approved surveys of the lands of the United States, from time to time, are filed in the respective land offices, the register and receiver of said land offices, respectively, shall also advertise said lands for sale, from time to time, in the manner and for the period prescribed by this act ; whereupon said lands shall also become subject to entry in the manner provided by this act.

SEC. 3. *And be it further enacted,* That, hereafter, no one person shall be permitted to enter more than one section of any land of the United States now subject to entry, or that may hereafter become subject to entry, under the provisions of this act ; and before making any entry hereafter, the applicant shall file his affidavit with the register and receiver of the land district in which the lands sought to be entered are situate, stating that said lands are sought to be entered by said applicant for the use of said applicant, and not in trust for another, and for settlement, cultivation, and occupancy by said applicant, and not for speculation ; whereupon, on payment of the price required by this act, the receiver of the proper land district, by and with the consent of the register thereof endorsed upon the application for the land, shall issue a receipt to the applicant for said purchase-money for said land.

SEC. 4. *And be it further enacted,* That any applicant obtaining a receipt for any land, under the provisions of this act, who shall fail to commence the occupancy of said land within four months from the date of said receipt, shall forfeit the purchase-money therein specified, and the title, to the United States ; and any person so commencing said occupancy of said land, as above specified, and abandoning the occupancy thereof at any time within three years after the commencement of said occupancy, shall forfeit the purchase-money so paid for said land, and the title, to the United States.

SEC. 5. *And be it further enacted*, That where two or more persons apply at the same time for the same section or part of a section of land, then the preference in the purchase shall be given to the first occupant; and when any land so sought to be entered has never been occupied by any of said applicants, then the preference in purchase shall be given to the most aged of said applicants.

SEC. 6. *And be it further enacted*, That no patent shall issue for any land entered under the provisions of this act, until three years after the date of the receiver's receipt for the purchase-money paid for said land; nor shall any patent issue for said land, unless upon proof made before the register and receiver of the proper land district in which said lands are situate, by the oath of at least two credible witnesses, and of the applicant, establishing the fact that said applicant has cultivated and occupied said land for three years continuously since the date of the receiver's receipt for the purchase-money of said land as aforesaid; and any sale, contract for sale, lease, or contract for lease, by said applicant, prior to the emanation of the patent, shall be utterly null and void, and operate as a forfeiture of the purchase-money specified in said receiver's receipt, and the title, to the United States; and any one swearing falsely, to obtain, for him or herself, or for another, the benefit of any provision of this act, shall be guilty of perjury; and any one procuring another to swear falsely to obtain for any one the benefit of any provision of this act, shall be guilty of subornation of perjury.

SEC. 7. *And be it further enacted*, That any person who is now the owner and cultivator of any tract of land, may, upon satisfactory evidence thereof to the register and receiver of the proper land district, be permitted to enter any unoccupied adjoining tract of the public lands, not exceeding one section, and receive the receiver's receipt, on paying the price specified by this act; but no patent for said tract shall issue until three years after the date of said receipt; and that any sale, contract for sale, lease, or contract for lease of said land, so specified in said receipt, prior to the emanation of the patent, shall be utterly null and void, and operate as a forfeiture of the purchase-money specified in said receipt, and the title, to the United States: *Provided, also*, That no receipt for land shall be issued by said receiver to said applicant, except upon affidavit, previously made by said applicant, before the register and receiver of the proper land district, that said land so sought to be entered by said applicant, is unoccupied, and that said entry is sought to be made by said applicant for the purpose of enlarging the adjoining farm or plantation of said applicant, and not for speculation.

SEC. 8. *And be it further enacted*, That no one who, under the provisions of this act, shall enter a section of land, shall be permitted to make any further entry; and that, after the passage of this act, all the lands of the United States shall be subject to entry, under the provisions of this act, in sub-divisions, not less than a quarter-quarter section.

SEC. 9. *And be it further enacted*, That all lands of the United States, whether now subject to entry or not, shall hereafter be entered only in the manner prescribed by this act: *Provided, however*, That no right accrued and vested under any existing law or treaty, shall in any manner be affected by the provisions of this act.

SEC. 10. *And be it further enacted*, That there shall be granted to

each of the States of Missouri, Louisiana, and Mississippi, a quantity of land equal to the quantity heretofore granted by Congress to the State of Ohio, for the purpose of internal improvement; and that a like quantity shall be granted to each of the Territories of the United States, upon their admission as States of the Union; and that there shall be also granted to each of the States of Indiana, Illinois, and Alabama, a quantity of land, which, together with the quantity already granted to each of said States for the purposes of internal improvement, will make the grant to each of said States for the purpose of internal improvement, equal to the quantity already granted to the State of Ohio for the purpose of internal improvement; which said lands shall be selected within the limits of said States respectively, and in such manner as the Legislatures thereof shall direct, and be located in parcels conformably to sectional divisions and sub-divisions of not less than three hundred and twenty acres, or one half section, in any one location, on any public land subject to entry, or that may hereafter become subject to entry; which said locations may be made at any time within five years after the passage of this act, and as regards any Territories not already admitted as States of the Union, within five years after said Territories shall have been admitted as States of the Union; and all roads, bridges, or canals, which may be constructed by any of said States respectively, from the nett proceeds of the sales of said lands, shall be free for the transportation of the United States mail and munitions of war, and for the passage of the troops of the United States, without the payment of any toll whatever.

SEC. 11. *And be it further enacted*, That all public lands that now are, or hereafter shall have been, subject to entry five years, and less than ten years, and still remaining unsold, shall be subject to entry at the price of one dollar per acre; and all lands in like manner remaining unsold after they now are, or hereafter shall have been, subject to entry ten years, and less than fifteen years, shall be liable to entry at ninety cents per acre; and all lands in like manner remaining unsold after they now are, or hereafter shall have been, subject to entry fifteen years, and less than twenty years, shall be liable to entry at eighty cents per acre; and all lands in like manner remaining unsold after they now are, or hereafter shall have been, subject to entry twenty years, and less than twenty-five years, shall be liable to entry at the price of seventy cents per acre; and all lands in like manner remaining unsold after they now are, or hereafter shall have been, subject to entry twenty-five years, and less than thirty years, shall be liable to entry at the price of sixty cents per acre; and all lands in like manner remaining unsold after they now are, or hereafter shall have been, subject to entry thirty years, and less than thirty-five years, shall be liable to entry at the price of fifty cents per acre; and all lands in like manner remaining unsold that now are, or hereafter shall have been, subject to entry thirty-five years and upwards, shall be ceded to the States respectively in which said lands are situate, upon payment into the Treasury of the United States of the prices paid for surveying said lands.

SEC. 12. *And be it further enacted*, That all laws and parts of laws, repugnant to the provisions of this act, be and the same are hereby repealed.

